

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

AO 91 (Rev. 11/11) Criminal Complaint

APR 26 2016

UNITED STATES DISTRICT COURT

for the

District of New Mexico

MATTHEW J. DYKMAN

CLERK

United States of America)

v.)

Case No. 16 mj 1836

Robert Organ Sr.)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 3/23/2016 in the county of San Juan in the
District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

21 USC 841(a)(1) and (b)(1) C

Possession of a Controlled Substance
With the Intent to Distribute

21 USC 841(a)(1) and (b)(1) C

Possession of a Controlled Substance
With the Intent to Distribute

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

Jeffrey S. McKinley, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 4/26/2016

Judge's signature

City and state: Albuquerque, NM

Printed name and title

AFFIDAVIT

I, Jeffrey S. McKinley, Special Agent of the Drug Enforcement Administration (DEA), being duly sworn, depose and state:

I am a Special Agent (SA) of the Drug Enforcement Administration and have been so employed since August 2010. I am currently assigned to the DEA Albuquerque District Office, specifically assigned to investigate federal drug offenses. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code Section 2510(7), who is empowered to conduct investigations of, and make arrests for, narcotic offenses enumerated in Title 18, United States Code Section 2516. I have successfully completed the DEA Basic Agent Training Academy at the DEA Academy in Quantico, Virginia. This training included instruction in the investigation of federal drug crimes including, but not limited to Title 21, United States Code Sections 841, 846, 959, and Title 18 United States Code Sections 2, 1956, and 1957. I have discussed with numerous law enforcement officers, defendants, and informants, the methods and practices used by narcotic distributors. I have acted in an undercover capacity and have been the affiant on numerous federal and state search warrants, complaints, and have testified in court in the area of narcotics on numerous occasions.

The facts set forth in this affidavit are known to me as a result of my investigation and interviews with other agents and law enforcement officers. These are not all the facts known to me throughout the course of this investigation, but rather only those that are essential to establish probable cause for charging a complaint against **Robert Organ Sr.** for the federal violations listed herein.

This Affidavit is made in support of the issuance of a Criminal Complaint charging **Robert Organ Sr.** with two violations of Title 21 USC 841 (a)(1) and (b)(1)(C), Possession with Intent to Distribute Methamphetamine and Possession with Intent to Distribute Heroin.

PROBABLE CAUSE

On March 23, 2016, Agents of the New Mexico Region II Narcotics Task Force were performing surveillance at the residence of Robert Organ Sr., which was 6303 East Main Street in Farmington, New Mexico. Agents were in possession of a state

arrest warrant regarding narcotics violations for Organ Sr., and were waiting for him to leave the residence in order to take him into custody. The decision to wait until Organ Sr. left his residence was formulated with regard to officer safety, primarily because of a search warrant executed at Organ Sr.'s residence in October, 2015, during which several individuals were located within the residence as well as a handgun in plain view. Additionally, Organ Sr. has an extraordinarily extensive criminal history, some of which were violent offenses.

During the aforementioned surveillance on March 23, 2016, Agent Corban Davis, at approximately 12:27 p.m., observed Organ Sr. open the hood to his Chevrolet pickup truck. Agent Davis observed what he believed to be Organ Sr. placing something under the hood and/or quickly retrieving something from under the hood. Agent Davis stated Organ Jr. immediately closed the hood, and obviously did not work on anything under the hood.

At approximately 12:28 p.m., Agents observed Organ Sr. and a female subject, later identified as Autumn Roberts, leave the residence via Organ Sr.'s Chevrolet pickup truck. A traffic stop was initiated on the vehicle in the 5000 block of Main Street in Farmington.

Organ Sr. was taken into custody under authority of the arrest warrant, and was searched incident to arrest. Approximately \$1,896.00 was located on his person, along with approximately 1.7 grams of suspected methamphetamine and approximately 0.9 gross grams of suspected heroin, as well as a pipe commonly used to ingest methamphetamine.

Autumn Roberts was also found to have an arrest warrant as well. She was found to have a purse on the passenger floorboard, which was inventoried incident to the towing of the vehicle. Inside the purse, Agents located syringes and a rubber band commonly used to inject drugs, and Agents also observed what they believed to be Organ Sr.'s cellular phone on the driver's seat. The vehicle was then sealed in anticipation of a search warrant.

On March 24, 2016, Agents served a search warrant on the vehicle driven by Organ Sr. on March 23, 2016. Pursuant to the warrant, Agents located the following: a black case, under the hood of the vehicle on the passenger side, which contained approximately 64 gross grams of suspected heroin in three different packages, approximately 20 gross grams of suspected methamphetamine, approximately 13 gross grams of suspected marijuana, 14 Buprenorphine hydrochloride pills, and 5 Alprazolam

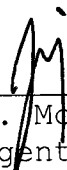
pills. In addition, Agents located two cellular phones in the vehicle, a small amount of suspected heroin in the aforementioned purse, a spoon with residue in the purse, a rubber band and syringes in the purse, and an application for vehicle and registration title addressed to Robert Organ Sr., which was located in the glove box.

The suspected heroin and methamphetamine later field tested positive for each respective substance.

Based upon my training and experience, the heroin and methamphetamine located under the hood of the truck were consistent with trafficking amounts of each respective substance.

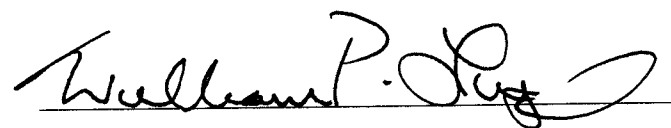
Based on the aforementioned information, **Robert Organ Sr.** knowingly and intentionally Possessed with the Intent to Distribute Methamphetamine and Heroin, contrary to 21 USC 841(a)(1) and (b)(1)(C).

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.



Jeffrey S. McKinley
Special Agent
U.S. Drug Enforcement Administration
Albuquerque District Office

Sworn before me on this the 26th day of April, 2016



United States Magistrate Judge
New Mexico Judicial District
Albuquerque, New Mexico